IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 18TH JANUARY 2007 / 28TH PAUSHA 1928

Bail Appl..No. 205 of 2007()

CMP.8292/2006 of JFCM., KAYAMKULAM
CR 258/06 of Mavelikkara Excise Range

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: PETITIONER/ACCUSED

VIJAYAKUMAR, S/O.THANKAPPAN,
AMRITHABHAVANAM, EREZHA THEKKUM MURI,
PERINGALA VILLAGE, MAVELIKARA.

BY ADV. SRI.RASHEED C.NOORANAD

RESPONDENT: COMPLAINANT AND STATE

STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

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B.A.No. 205 of 2007

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Dated this the 16th day of January, 2007.

ORDER

Petitioner, who is the accused in CR No.258 of 2006 of Mavelikkara Excise Range for offences punishable under Section 8(1) and (2) of the Abkari Act, for having been found in possession of 750 ml. of coloured arrack on 15.12.2006 and who was arrested on the same day, seeks his enlargement on bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioner is an accused in four other cases involving similar offences and that in three of them the contraband liquor is IMFL and in the fourth case, the contraband liquor is coloured arrack as in this case.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR,
JUDGE.

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